
Order Decision

Site visit made on 20 August 2015

by Alan Beckett BA MSc MIPROW

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 10 December 2015

Order Ref: FPS/X2600/4/12M

- This Order is made under Section 119A of the Highways Act 1980 (the 1980 Act) and is known as the Norfolk County Council (Gissing: Part of footpath 13, Burston and Shimpling: Part of footpaths 14 and 15) Rail Crossing Diversion Order 2014.
- Norfolk County Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- The Order is dated 10 October 2014. The Order was the subject of an interim decision dated 14 September 2015 in which I proposed to confirm the Order subject to modifications which required advertisement.

Summary of Decision: The Order is confirmed subject to the modifications set out in the Formal Decision.

Procedural Matters

1. The effect of the Order, if confirmed with the modifications that I previously proposed, would be to divert part of footpath 13 Gissing and footpaths 14 and 15 Burston and Shimpling to new alignments and to record the eastern end of footpath 13 Gissing (at point A on the Order plan) as being to the north of the parish boundary and that the diverted path would run in a generally south-south-westerly direction for approximately 4 metres to the parish boundary. The proposed modifications also included the recording of a plank bridge as a means of crossing the ditch at the parish boundary between Gissing and Burston and Shimpling. The proposed modifications would also record part of the diverted footpath 14 Burston and Shimpling as having a width of 1.8 metres.
2. In my interim decision of 14 September 2015, I proposed to confirm the Order subject to the modifications described in paragraph 1 above. Since these modifications would affect land not affected by the Order as originally made I was required by virtue of paragraph 2 (3) of Schedule 6 to the 1980 Act to give notice of my proposal to modify the Order.
3. No representations or objections were received following advertisement of the notice and deposit of the associated documents relating to the proposed modifications.

Conclusions

4. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 54 of my interim decision dated 14 September 2015.
-

Formal Decision

5. I confirm the Order subject to the modifications previously proposed, namely:
- (i) Amend the second paragraph of part 2 of the schedule to read: "Part of Footpath 13 Gissing and Part of Footpath 15 Burston and Shimpling: a footpath as shown on the map attached to this order with a width of 3 metres from GR TM 1476 8404 (Point A on the map contained in this order) running in a south-south-westerly direction for 4 metres, crossing a plank bridge to the parish boundary with Burston and Shimpling and continuing in a south-south-westerly direction, along a field edge adjacent to the railway cutting for approximately 405 metres to GR TM 1461 8367 (Point D on the map contained in this order)."
 - (ii) amend line 5 of the first paragraph of part 2 of the schedule to record the width of the path between points D and E as being 1.8 metres.

Alan Beckett

Inspector